

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GARY ALLEN GOLDSMITH,

Petitioner,

v.

A. K. SCRIBNER,

Respondent.

CV F 05-0444 OWW WMW HC

ORDER RE MOTION FOR
RECONSIDERATION RE APPOINTMENT OF
COUNSEL

[Doc. 17]

Petitioner is a prisoner proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. Section 2254.

On May 8, 2006, Petitioner filed a motion for the appointment of counsel. The Magistrate Judge denied that motion in an order entered June 16, 2006. On June 28, 2006, Petitioner filed a motion for reconsideration of his motion for appointment of counsel.

The standard of review for the reconsideration of a Magistrate Judge's order by a District Judge is the "clearly erroneous or contrary to law" standard set forth in 28 U.S.C. Section 636(b)(1)(A). See Fed.R.Civ.Pro. 72(a). In this case, the court finds that the Magistrate Judge's order denying the appointment of counsel was neither clearly erroneous nor contrary to law. Accordingly, IT IS HEREBY ORDERED that Petitioner's motion for reconsideration is DENIED. IT IS SO ORDERED.

Dated: July 29, 2006

/s/ Oliver W. Wanger

UNITED STATES DISTRICT JUDGE

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